IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Civil Application St. No.20023 of 2006
In
Writ Petition No.763 of 1983

Shankar Aba Khot — Applicant
(Org.Resp.No.12(c))

Vs.

Keru Govinda Jondhale
since deceased by his heirs
and LRs:
Smt.Janabai w/o.Keru Jondhale
since deceased by heirs & LRs:
1a) Dnytanu Keru Jondhale & ors. — Respondents

Mr.R.V.Govilkar for applicant (org.resp.no.12(c)).

Mr.H.D.Gole with Mr.P.S.Gole for respondents-org.petitioners.

CORAM: B.H.MARLAPALLE,J.

August 25, 2006.

P.C.

. Writ Petition No.763 of 1983 was decided on 21/6/2006 and it was allowed by directing the restoration of the suit land admeasuring 5 acres and 4 gunthas to the petitioners within a period of four weeks from that date. In support of this application praying for stay of the said order Mr. Govilkar, the learned counsel for the applicant now states that the land has not been restored to the original petitioners - present respondents, even as on today,

whereas Mr.Gole, the learned counsel for the original petitioners states that as per his instructions the suit land is going to be restored to the original petitioners on 28th August 2006 and, therefore, he opposes this application.

. Admittedly the suit land is not an irrigated land and it takes only one crop in a year (kharip crop). As at present soyabean crop is standing on some part of the land.

. The applicant has been in possession of the suit land for the last more than forty years and taking all these factors into consideration and the fact that the applicant desires to approach the apex Court against the order dated 21/6/2006, it would be appropriate that the status quo as on today is maintained for a short period, though this application has been filed belatedly.

. Hence the parties to maintain status quo in respect of the suit land for a period of six weeks from today, subject to the condition that the applicant deposits an amount of Rs.5000/- with the Tahsil office concerned within a period of two weeks

from today.

. The application is disposed off in terms of the above direction. Certified true copy be issued on priority basis.

(B.H.MARLAPALLE,J.)